IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 11442 of 2004

Between:
K. Anand Kumar, S/o. K. Babu Rao,
R/o. 2-2-647/73/5/A, Central Excise Colony, Bagh Amberpet,
Hyderabad - 13.

..... PETITIONER

AND

1) The Commissioner, Uppal Kalan Municipality,
Uppal, R.R. District.
2) The Vice Chairman-cum-Managing Director, Hyderabad Urban Development
Authority, Begumpet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or a direction more particularly one in the nature of writ of mandamus declaring the action of Respondents not allowing the petitioner to construct compound wall around his land admeasruing Ac. 0-11 Gt.s. situated in Survey No. 505/3 at Uppal Bagayath, Uppal Mandal, R.R. District to safeguard from land grabbers as illegal, arbitrary and against principal of natural justice, and subsequently direct the Respondents to permit the petitioner to safeguard his land by constructing compound wall and pass such other orders in the interests of justice.

For Petitioner : MR.O.RAMESH -Advocate

For Respondent No.1 : MR.R.TIMMA REDDY, Advocate

For Respondent No. 2 : Mr.K.Vishwanatha Reddy, Advocate

The Court at the admission stage made the following :

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O R D E R:

The present writ petition is filed questioning the action of the respondents in not allowing the petitioner to construct compound wall around his land admeasuring Ac.0-11 Guntas in Survey No.505/3, Uppal Bagayath, Uppal Mandal, R.R.District.

The petitioner is the owner of the land admeasuring Ac.0-11 gts in Survey No.505/3 situated at Uppal Bagayath, Uppal Mandal & Municipality, R.R.District, and intends to construct a compound wall around his land and alleges that the officials of Respondent No.1 are not permitting, or allowing him to construct the compound wall on the ground that all constructions are prohibited in that particular area. Hence, the writ petition.

Learned Standing Counsel for first respondent submitted the petitioner has to file an application seeking permission to construct the compound wall and if any such application is filed by the petitioner, the same would be considered in accordance with law.

Heard the learned counsel for the petitioner, and the learned Standing Counsel. Both the learned counsel have agreed to dispose of the writ petition at the admission stage with the following directions:-

In the circumstances, the petitioner is at liberty to file an application before the respondents seeking permission to construct the compound wall. On filing any such application, the respondents shall consider the same and pass appropriate orders within a period of four weeks from the date of receipt of such application.

With the above directions, the writ petition is disposed of.

7.7.2004 **N.V.RAMANA, J**

Rar/Tvk

To

1) The Commissioner, Uppal Kalan Municipality,
   Uppal, R.R. District.
2) The Vice Chairman-cum-Managing Director, Hyderabad Urban
   Urban Development Authority, Begumpet, Hyderabad
3) 2CD copies